

Exhibit "5"

**Bank of America** 

**Cashier's Check**

No. **420130018**

Notice to Purchaser - In the event this check is lost, misplaced or stolen, a sworn statement and 90-day waiting period will be required prior to replacement. This check should be negotiated within 90 days.

Date

**DECEMBER 27, 2007**

11-35/1210

NCA

Banking  
Center

**LONG BEACH FINANCIAL CTR.**

0000163 00001 000130018

**ROBERT SWEETING**

Remitter (Purchased By)

Pay

**\*\*THREE THOUSAND FIVE HUNDRED FIFTY DOLLARS AND 00 CENTS\*\***

\$

**\*\*3550.00\*\***

To  
The  
Order  
Of

**\*\*CHAC\*\***  
**\*\*\*\***

**Non-Negotiable**

Authorized Signature

**Customer Copy**  
**Retain For Your Records**

1397085076

**VOID AFTER 90 DAYS**

Bank of America, N.A.  
San Francisco, CA

05-14-3774B 09-2005

**SWEETING2301**

**BANK OF THE WEST**  
LONG BEACH CITY PLACE OFFICE  
498 LONG BEACH BOULEVARD  
LONG BEACH, CA 90802

ROBERT SWEETING  
ACCT 3000857459

0069201510

90-78/1211

PURCHASER: POWER BRAKE SERVICE CO

JUN 26, 2007

PAY TO THE ORDER OF FREMONT INVESTMENT

\*\*\*2,000.00\*\*

Two Thousand Dollars and 00/100

CASHIER'S CHECK

*[Signature]*  
AUTHORIZED SIGNATURE

⑈0069201510⑈ ⑆121100782⑆ 041000787⑈ 9450

**FREMONT**

INVESTMENT &amp; LOAN

PO Box 25100

Santa Ana, California 92799-5100

Customer Service Toll-Free: 1-877-537-3666

## ACCOUNT INFORMATION

Statement Date 06/12/07  
Next Payment Due Date 03/01/07  
Loan Number 3000857459

Item Description	Amount
<b>Balances</b>	
Principal Balance	\$773,390.09
Escrow Balance	
Unpaid Late Charges	\$1,474.50
Other Unpaid Charges	\$93.82
<b>Payment Factors</b>	
Principal & Interest Payment	\$6,781.35
Escrow Payment	
Other	
Total Payment	\$6,781.35
<b>Year-to-Date</b>	
Interest Paid	\$6,671.44
Taxes Paid	

PLEASE NOTE: The amounts reflected in this statement do not represent a payoff quote. For a payoff quote, please call our

ROBERT SWEETING

16077 CRETE LANE

HUNTINGTN BCH CA 92649-2170

85984 RE



Property Address: 16077 CRETE LANE

Huntington CA 92649

SWEETING2295

PURCHASER: POWER BRAKE SERVICE CO INC

JUN 19, 2007

PAY TO THE FREMONT INVESTMENT  
ORDER OF \_\_\_\_\_

\$ **\*\*\*2,000.00\***

Two Thousand Dollars and 00/100

**CASHIER'S CHECK**

*Schulista Jones*  
AUTHORIZED SIGNATURE



**FREMONT**

INVESTMENT & LOAN

PO Box 25100  
Santa Ana, California 92799-5100  
Customer Service Toll-Free: 1-877-537-3666

ROBERT SWEETING  
16077 CRETE LANE  
HUNTINGTN BCH CA 92649-2170

85984 RE



Property Address: 16077 CRETE LANE  
Huntington CA 92649

**ACCOUNT INFORMATION**

Statement Date 06/12/07  
Next Payment Due Date 03/01/07  
Loan Number 3000857459

Item Description	Amount
<b>Balances</b>	
Principal Balance	\$773,390.09
Escrow Balance	
Unpaid Late Charges	\$1,474.50
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<b>Payment Factors</b>	
Principal & Interest Payment	\$6,781.35
Escrow Payment	
Other	
Total Payment	\$6,781.35
<b>Year-to-Date</b>	
Interest Paid	\$6,671.44
Taxes Paid	

PLEASE NOTE: The amounts reflected in this statement do not represent a payoff quote. For a payoff quote, please call our

SWEETING2296

WARNING: Original document has an artificial watermark on reverse side.

**BANK OF THE WEST**

LONG BEACH CITY PLACE OFFICE  
496 LONG BEACH BOULEVARD  
LONG BEACH, CA 90802

LOAN # 3000857459  
566981331

0069201474

90-78/1211

PURCHASER: ROBERT SWEETING

JUN 12, 2007

PAY TO THE ORDER OF FREMONT INVESTMENTS

\$ \*\*\*2,000.00\*

Two Thousand Dollars and 00/100

**CASHIER'S CHECK**

  
AUTHORIZED SIGNATURE

SWEETING2297

**POWER BRAKE SERVICE CO., INC.**1701 FASHION AVE  
LONG BEACH, CA 90813  
562-436-4111

5-10 Pg 6 of 26

3000	857	459			

90-4284-1222

*Eight hundred and 00/100*

TO THE ORDER OF

DESCRIPTION


DOLLARS

CHECK  
NUMBERCHECK  
AMOUNT

*Fremont Investment*

3727

\$ 800.00

 Security Features  
Includes  
Microprint on Bank

**BANK OF THE WEST**  
LONG BEACH CITY PLACE OFFICE  
LONG BEACH, CA 90802

*Robert Sweeting*

WARNING: Original document has an artificial watermark on reverse side.

**BANK OF THE WEST**LONG BEACH CITY PLACE OFFICE  
496 LONG BEACH BOULEVARD  
LONG BEACH, CA 90802

ROBERT SWEETING

566981331 3000857459

0069201553

90-78/1211

PURCHASER: POWER BRAKE SERVICES CO INC

JUL 10, 2007

PAY TO THE FREMONT INVESTMENT  
ORDER OF

\$ \*\*\*1,200.00\*

One Thousand Two Hundred Dollars and 00/100

**CASHIER'S CHECK**

*Henry Ok*

AUTHORIZED SIGNATURE

9450

SWEETING2298

1701 FASHION AVE  
LONG BEACH, CA 90813  
562-436-4111

EXPLANATION	AMOUNT
3000 857 459	

3727

90-4284-1222

UNT

*eight hundred and 00/100*

DOLLARS

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER
7/7	Fremont Investment		3727

CHECK  
AMOUNT

\$ 800.00

 Security Features  
Please Read  
Details on Back

BANK OF THE WEST  
LONG BEACH CITY PLACE OFFICE  
LONG BEACH, CA 90802

*Robert Sweeting*

⑈0001201553⑈

WARNING: Original document has an artificial watermark on reverse side.

**BANK OF THE WEST**  
LONG BEACH CITY PLACE OFFICE  
496 LONG BEACH BOULEVARD  
LONG BEACH, CA 90802

ROBERT SWEETING  
566981331 3000 857 459

0069201553

90-78/1211

PURCHASER: POWER BRAKE SERVICES CO INC

JUL 10, 2007

PAY TO THE FREMONT INVESTMENT  
ORDER OF

\$ \*\*\*1,200.00\*

One Thousand Two Hundred Dollars and 00/100

**CASHIER'S CHECK**

*Henry Ole*  
AUTHORIZED SIGNATURE

⑈0069201553⑈

SWEETING2299

ROBERT B SWEETING  
 16077 CRETE LN  
 JANTINGTON BEACH, CA 92649

NHRA

1014

10-06/1220  
 219

PAY TO THE  
 ORDER OF

GMA

\$7197.00

Seven thousand one hundred ninety seven and 00/100

Bank of America

VALUED  
 Customer Since  
 2007

0833009962

Robert Sweeting

©Clarke American

NHRA® SPEED UNLIMITED® WBU



*Robert D. Sweeting*

JUN 19, 2007 <sup>90-78/1211</sup>

PURCHASER:

PAID TO

FREEMONT INVESTMENT

\$ 2,000.00

**CASHIER'S CHECK**

*Robert D. Sweeting*  
NON-NEGOTIABLE

**BANK OF WEST**

LONG BEACH CITY PLACE OFFICE  
496 LONG BEACH BOULEVARD  
LONG BEACH, CA 90802

Doc 5090-4

Filed 09/17/13

Entered 09/18/13 10:12:13

Exhibit

5-10

Pg 10 of 46

0069201553

90-78/1211

JUL 10, 2007

PURCHASER:

PAID TO

FREMONT INVESTMENT

\$

1,200.00

**CASHIER'S CHECK**

NON-NEGOTIABLE

SWEETING2310

# GMAC Mortgage Account Statement

## CUSTOMER INFORMATION

Name: ROBERT SWEETING

16077 CRETE LANE  
HUNTINGTON BEACH CA 92649

Account Number:

Home Phone #: (000)000-0000

# GMAC Mortgage

Visit us at [www.gmacmortgage.com](http://www.gmacmortgage.com) for account information or to apply on-line.

*PxL Kon 6 MONTHS*

852701 04/09/07 10:30 0009036 20070807 GH094103 GMREG 1 OZ DOM GH09410000+ 146316 GM

#BWNHJPY  
#KW09564J32837#

|||||

ROBERT SWEETING  
16077 CRETE LANE  
HUNTINGTON BEACH CA 92649-2170



For information about your existing account, please call: (800) 766-4622.

For information about refinancing or obtaining a new loan, please call:

Nationwide, 24 hours (800) 753-4622  
Or to find a branch near you (800) 888-4622

Please verify your mailing address, borrower and co-borrower information. Make necessary corrections on this portion of the statement, detach and mail to address listed for Inquiries on the reverse side.

## Account Information

Account Number: 0833009962  
Current Statement Date: August 03, 2007  
Maturity Date: January 01, 2047  
Interest Rate: 10.35000  
Current Principal Balance\*: \$773,390.09  
Current Escrow Balance: \$0.00  
Interest Paid Year-to-Date: \$0.00  
Taxes Paid Year-to-Date: \$0.00

## Details of Amount Due/Paid

Principal and Interest: \$6,781.35  
Subsidy/Buydown: \$0.00  
Escrow: \$0.00  
Amount Past Due: \$40,688.10  
Outstanding Late Charges: \$0.00  
Other: \$10,500.00-  
Total Amount Due: \$36,969.45  
Account Due Date: March 01, 2007

For Customer Care inquiries call: 1-800-766-4622

For Insurance inquiries call: 1-800-256-9962

For Payment Arrangements call: 1-800-850-4622

## Account Activity Since Last Statement

Description	Due Date	Tran. Date	Tran. Total	Principal	Interest	Escrow	Add'l Products	Late Charge	Other
Receipt	02/01/07	08/03/07	\$10,500.00						\$10,500.00

\*This is your Principal Balance only, not the amount required to pay the loan in full. For payoff figures and mailing instructions, call the Customer Care number above or you may obtain necessary payoff figures through our automated system (24 hours a day, 7 days a week). See back for automatic payment sign-up information and other payment options.

## Important News

Pay down debt! Fund a home improvement project or tuition! Call the number above to apply for a Home Equity Line or Loan!

See Reverse Side For Important Information  
Mail This Portion With Your Payment

SWEETING2302

GMAC Mortgage, LLC  
PO Box 780

PAGE 1  
DATE 04/14/08

Waterloo

IA 50704-0780

HISTORY FOR ACCOUNT 833009962

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

----- DATES -----		----- CURRENT BALANCES -----		----- UNCOLLECTED -----	
PAID TO	03/01/07	PRINCIPAL	770488.63	LATE CHARGES	-339.06
NEXT DUE	04/01/07	ESCROW	-4462.49	OPTIONAL INS	0.00
LAST PMT	12/28/07	UNAPPLIED FUND	3550.00	INTEREST	0.00
AUDIT DT	08/02/07	UNAPPLIED CODES	U	FEES	-2754.78
		BUYDOWN FUND	0.00	----- YEAR TO DATE -----	
LAST ACTIVITY	04/02/08	BUYDOWN CODE		INTEREST	-6645.46
				TAXES	1363.95

POST	TRN	DUE	TRANSACTION	PRINCIPAL	INTEREST	ESCROW
DATE	CDE	DATE	AMOUNT	PAID	PAID	PAID
080307	UFU	020107	UNAPPLIED FUNDS (1)		10500.00	BALANCE 10500.00
080307	SR	020107	10500.00	.00	.00	.00
080607	FR	020107	-28.05 11 PROP INSPECTION FEE			
080607	FR	020107	-100.00 164 CORP ADV 3 DRM			
080807	UFU	020107	UNAPPLIED FUNDS (1)		-800.00	BALANCE 9700.00
080807	M75	020107	-800.00 PAYEE = 2500.00743		.00	.00
081607	UFU	030107	UNAPPLIED FUNDS (1)		-6781.35	BALANCE 2918.65
081607	PA	030107	.00	110.86	6670.49	.00
081607	UFU	030107	UNAPPLIED FUNDS (1)		-128.05	BALANCE 2790.60
081607	SR	030107	-128.05	.00	.00	.00
081607	FE	030107	100.00 164 CORP ADV 3 DRM			
081607	FE	030107	28.05 11 PROP INSPECTION FEE			
081607	UFU	030107	UNAPPLIED FUNDS (1)		-2790.60	BALANCE 0.00
081607	CT	030107	.00	2790.60	.00	.00
082007	FB	030107	11.25 11 PROP INSPECTION FEE			
091807	FB	030107	11.25 11 PROP INSPECTION FEE			
101007	FB	030107	30.00 28 PAYOFF STATEMENT			
101607	FB	030107	11.25 11 PROP INSPECTION FEE			
112007	FB	030107	11.25 11 PROP INSPECTION FEE			
112807	UI	030107	.00	.00	.00	.00
			OPT PREMIUMS	.00	LATE CHARGE PYMT	-1017.18*
112807	AA	030107	.00	.00	.00	.00
			OPT PREMIUMS	.00	LATE CHARGE PYMT	-1017.18*
122807	RPL	122007	PAID 7196.18 DUE 7196.18 SHORT		.00	TELLER 1657
122807	RPL	122007	NO. OF PLAN PMTS=01			
122807	RP	040107	6781.35	135.89	6645.46	.00
122807	UFF	040107	UNAPPLIED FUNDS (2)		414.83	BALANCE 414.83

FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 2  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
122807	SR	040107	414.83	.00	.00	.00
122807	M90	040107	-1598.20	PAYEE = 0030.00000	.00	-1598.20
122807	M90	040107	-1500.34	PAYEE = 0030.00000	.00	-1500.34
010908	UI	040107	.00	.00	.00	.00
			OPT PREMIUMS	.00	LATE CHARGE PYMT	678.12*
010908	AA	040107	.00	.00	.00	.00
			OPT PREMIUMS	.00	LATE CHARGE PYMT	678.12*
010908	UFU	040107	UNAPPLIED FUNDS (1)	414.83	BALANCE	414.83
010908	UFF	040107	UNAPPLIED FUNDS (2)	-414.83	BALANCE	0.00
010908	AA	040107	.00	.00	.00	.00
010908	AA	040107	.00	.00	.00	.00
010908	PR1	030107	-6781.35	-135.89	-6645.46	.00
010908	FB	030107	10.00	3 NSF FEE		
010908	UFU	030107	UNAPPLIED FUNDS (1)	3135.17	BALANCE	3550.00
010908	SR	030107	3135.17	.00	.00	.00
010908	FB	030107	1004.00	40 EXPENSE ADVANCES		
010908	FB	030107	20.82	40 EXPENSE ADVANCES		
010908	FB	030107	9.00	40 EXPENSE ADVANCES		
010908	FB	030107	1000.00	40 EXPENSE ADVANCES		
012208	FB	030107	11.25	11 PROP INSPECTION FEE		
021408	UFU	030107	UNAPPLIED FUNDS (1)	-3550.00	BALANCE	0.00
021408	UFF	030107	UNAPPLIED FUNDS (2)	3550.00	BALANCE	3550.00
021408	AA	030107	.00	.00	.00	.00
021408	UI	030107	.00	.00	.00	.00
			OPT PREMIUMS	.00	LATE CHARGE PYMT	-1695.30*
021408	AA	030107	.00	.00	.00	.00
			OPT PREMIUMS	.00	LATE CHARGE PYMT	-1695.30*
021908	FB	030107	105.00	164 CORP ADV 3 DRM		
030308	UI	030107	.00	.00	.00	.00
			OPT PREMIUMS	.00	LATE CHARGE PYMT	1695.30*
030308	AA	030107	.00	.00	.00	.00
			OPT PREMIUMS	.00	LATE CHARGE PYMT	1695.30*
030308	UFU	030107	UNAPPLIED FUNDS (1)	3550.00	BALANCE	3550.00
030308	UFF	030107	UNAPPLIED FUNDS (2)	-3550.00	BALANCE	0.00
030308	AA	030107	.00	.00	.00	.00
030308	AA	030107	.00	.00	.00	.00

FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 3  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
031708	B90	030107	-1363.95	PAYEE = 0030.00000	.00	-1363.95
032708	FB	030107	120.00	40 EXPENSE ADVANCES		
032708	FB	030107	350.00	40 EXPENSE ADVANCES		
032708	FB	030107	6.00	40 EXPENSE ADVANCES		
032708	FB	030107	32.46	40 EXPENSE ADVANCES		
040208	FB	030107	11.25	11 PROP INSPECTION FEE		

END OF HISTORY

FCL 1884

GMAC Mortgage, LLC  
PO Box 780

PAGE 1  
DATE 04/14/08

Waterloo

IA 50704-0780

HISTORY FOR ACCOUNT 833009962

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

----- DATES -----		----- CURRENT BALANCES -----		----- UNCOLLECTED -----	
PAID TO	03/01/07	PRINCIPAL	770488.63	LATE CHARGES	-339.06
NEXT DUE	04/01/07	ESCROW	-4462.49	OPTIONAL INS	0.00
LAST PMT	12/28/07	UNAPPLIED FUND	3550.00	INTEREST	0.00
AUDIT DT	08/02/07	UNAPPLIED CODES	U	FEES	-2754.78
		BUYDOWN FUND	0.00	----- YEAR TO DATE -----	
LAST ACTIVITY	04/02/08	BUYDOWN CODE		INTEREST	-6645.46
				TAXES	1363.95

POST	TRN	DUE	TRANSACTION	PRINCIPAL	INTEREST	ESCROW
DATE	CDE	DATE	AMOUNT	PAID	PAID	PAID
080307	DM	000000	T:01738	07:20:00		
				BREACH HOLD PLACED-EXPIRATION DATE 09/07/07		
080307	DM	000000	T:00000	50:00:00		
				AUTOMATED INTEREST ACCRUAL HOLD ACTIVE		
080607	NT	000000	T:01229			
				Debt Validation Letter Mailed 08-06-07.		
080607	DM	000000	T:00000	50:00:00		
				EARLY IND: SCORE 298 MODEL EI90N		
080807	NT	000000	T:14500			
				rcvd reimb req from prev servicer FREMONT		
080807	NT	000000	T:14500			
				INVESTMENT & LOAN.cust ck#3727 for 800.00 dtd		
				07/26/07 was rtnd nsf pmt. funds posted to ln		
				prior to the transferto us; reimbursed funds to		
				prev servicer.		
081707	DM	000000	T:17099	11:15:00		
				ACTION/RESULT CD CHANGED FROM OASK TO OAAI		
081707	DM	000000	T:17099	11:15:00		
				SENDING OUT WELCOME CARD.		
082307	DM	000000	T:16288	18:53:00		
				ACTION/RESULT CD CHANGED FROM OAAI TO BRUN		
082307	DM	000000	T:16288	18:53:00		
				BI CI VERIFIED INFO AND ADV OF LC/CR 60 BYPASS MR		
				ADV THAT PREV SERVICER MESSED UP LOAN, DIDNT GIVE		
				MR ALL INFO AND TOOK MONEY FROM CLOSING MR ADV IS		
				LOOKING FOR LOAN MOD OR REPAY PLAN ADV TERMS FOR		
				REPAY MR WANTED TO LOOK INTO LOAN MOD ADV XFER TO		
				LOSS MIT RFD PROBLEMS WITH PREV SERVICER		
				DFLT REASON 1 CHANGED TO: PAYMENT DISPUTE		
082907	DMD	000000	T:22222	50:00:00		
				08/29/07 13:56:09 INCOMPLETE		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 2  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
082907	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
082907	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
090407	DMD	000000	T:22222	50:00:00		
				09/04/07	14:11:53 LEFT MSG	
090407	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
090407	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
090407	DM	000000	T:00000	50:00:00		
				EARLY IND: SCORE 317 MODEL EI90N		
090507	DMD	000000	T:22222	50:00:00		
				09/05/07	13:55:34 MSG ANS MACH	
090507	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
090507	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
090607	DM	000000	T:16411	13:22:00		
				ACTION/RESULT CD CHANGED FROM OASK TO BRIN		
090607	DM	000000	T:16411	13:22:00		
				CALLED WORK#5624364111--3P STATED TO CALL BACK		
				AFTER 5 AND WOULD NOT TAKE MSG		
				DFLT REASON 1 CHANGED TO: UNABLE TO CONTACT BORR		
090607	DMD	000000	T:22222	50:00:00		
				09/06/07	12:23:06 INCOMPLETE	
090607	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
090607	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
091107	DMD	000000	T:22222	50:00:00		
				09/11/07	19:16:37 MSG ANS MACH	
091107	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
091107	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
091207	DMD	000000	T:22222	50:00:00		
				09/12/07	14:36:02 MSG ANS MACH	
091207	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	

MES FCL 1884



HISTORY FOR ACCOUNT 833009962

PAGE 3  
DATE 04/14/08

----- MAIL ----- PROPERTY -----  
ROBERT SWEETING  
16077 CRETE LANE 16077 CRETE LANE  
HUNTINGTON BEACH CA 92649 HUNTINGTON BEACH CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
091207	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
091307	DM	000000	T:22257	16:18:00		
				ACTION/RESULT CD CHANGED FROM BRIN TO BRUN		
091307	DM	000000	T:22257	16:18:00		
				RFD SERVICING/ORIGINATION PROBLEMS. B1 SAID THAT HIS PREVIOUS SERVICER HAS MADE ILLEGAL PROCEDURES ON THIS LOAN AND THAT HIS LOAN PMTS WERE STOLEN BY HIS PREVIOUS SERVICER AND TOOK \$50,000 OF		
091307	DM	000000	T:22257	16:18:00		
				PROCEEDS FROM HIM AND NO HUD STATEMENTS WAS GIVEN		
091307	DM	000000	T:22257	16:33:00		
				ACTION/RESULT CD CHANGED FROM BRUN TO OAAI		
091307	DM	000000	T:22257	16:33:00		
				..ADV OF BR FOR APR DUE.B1 HAS DOCS THAT HE HAS BEEN MAKING HIS PMTS TO PREVIOUS SERVICR. B1 IS REQUESTING A PMT ARRANGEMENT. B1 NEVER HAD A COPY OF GMAC DOCS. ADV B1 OF CC, CL, LC, CR FOR APR TRU		
091307	DM	000000	T:22257	16:33:00		
				AUG. XFER TO LOSS MIT		
091307	DM	000000	T:01577	16:49:00		
				ACTION/RESULT CD CHANGED FROM OAAI TO LMDC		
091307	DM	000000	T:01577	16:49:00		
				MR CLD IN. SD HE WAS TRYING TO REFI, ENDED UP GETTIN TKN FOR A LOT OF MONEY THRU THE CLOSING. ALSO SD PMTS WERE MDE TO THE PREV SERV. HE IS WNTING TO LK AT ARRNGMTS. ADV CAN FAX IN LMP TO LK		
091307	DM	000000	T:01577	16:49:00		
				AT OPTIONS. ADV WLD WNT TO JST CONT SAVING WHT CAN.		
				DFLT REASON 1 CHANGED TO: CURTAILMENT OF INCOME		
091307	DMD	000000	T:22222	50:00:00		
				09/13/07	13:19:10	MSG ANS MACH
091307	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
091307	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 4  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
091407	DM	000000	T:22247	15:09:00		
091407	DM	000000	T:22247	15:09:00		
				ACTION/RESULT CD CHANGED FROM LMDC TO LMDC		
091807	DMD	000000	T:22222	50:00:00		
091807	DMD	000000	T:22222	50:00:00		
091807	DMD	000000	T:22222	50:00:00		
091907	DMD	000000	T:22222	50:00:00		
091907	DMD	000000	T:22222	50:00:00		
091907	DMD	000000	T:22222	50:00:00		
092007	DMD	000000	T:22222	50:00:00		
092007	DMD	000000	T:22222	50:00:00		
092007	DMD	000000	T:22222	50:00:00		
092107	DMD	000000	T:22222	50:00:00		
092107	DMD	000000	T:22222	50:00:00		
092107	DMD	000000	T:22222	50:00:00		
092407	DMD	000000	T:22222	50:00:00		
092407	DMD	000000	T:22222	50:00:00		
092407	DMD	000000	T:22222	50:00:00		
092507	DMD	000000	T:22222	50:00:00		
092507	DMD	000000	T:22222	50:00:00		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 5  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
092507	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
092607	DMD	000000	T:22222	50:00:00		
				09/26/07	14:40:51 FAX MODEM	
092607	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
092607	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
092707	DMD	000000	T:22222	50:00:00		
				09/27/07	12:19:49 LEFT MSG	
092707	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
092707	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
092807	DMD	000000	T:22222	50:00:00		
				09/29/07	17:12:40 MSG ANS MACH	
092807	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
092807	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
100107	DMD	000000	T:22222	50:00:00		
				10/01/07	14:55:50 MSG TO VOICE	
100107	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
100107	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
100207	CIT	000000	T:22247	001 NEW CIT 808: Please do not send to FCL.		
100207	DMD	000000	T:22222	50:00:00		
				10/02/07	16:19:56 INCOMPLETE	
100207	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
100207	DMD	000000	T:22222	50:00:00		
				00/00/00	00:00:00	
100207	DM	000000	T:00000	50:00:00		
				EARLY IND: SCORE 289 MODEL EI90N		
100807	DM	000000	T:22247	17:53:00		
				ACTION/RESULT CD CHANGED FROM LMDC TO LMDC		
100807	CIT	000000	T:01059	001 removal of 808 by script		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 6  
DATE 04/14/08

MAIL

PROPERTY

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
100807	CIT	000000	T:01059	001 DONE 10/08/07 BY TLR 01059		
100907	CIT	000000	T:17489	TSK TYP 808-DO NOT REFER TO 002 New CIT 720		
101007	CIT	000000	T:07956	Please provide P/O figures g/t today for fair debt figures and fax to 1-866-861-4666 002 DONE 10/10/07 BY TLR 07956		
101007	NT	000000	T:03679	TSK TYP 720-PO STMT SCRIPT		
101507	NT	000000	T:17489	returned asset plan to AM for revisions		
101507	NT	000000	T:17489	Foreclosure Referral Review Completed		
101607	NT	000000	T:12488	and Management Approved		
110207	DM	000000	T:00000	task 2 rvsd stmt f&c used are atty2000; bpo \$110;pir \$30; g/t oct 31,2007; acs/pof statement 50:00:00		
111507	CIT	000000	T:12423	EARLY IND: SCORE 213 MODEL EIFRC		
111507	CIT	000000	T:15448	003 Open CIT#644 Received items for research		
111507	CIT	000000	T:15448	003 recvd docs from cust; sending incomplete ltr as need to have a clear front & back copy of cashed item, if ck was posted electronically		
111507	CIT	000000	T:15448	plz send tracer#, if funds was posted online, provide confirmation#		
112007	DM	000000	T:22247	003 DONE 11/15/07 BY TLR 15448		
112007	DM	000000	T:22247	TSK TYP 644-CHECK COPY-CUST 16:22:00		
112807	NT	000000	T:22247	ACTION/RESULT CD CHANGED FROM LMDC TO LMDC 16:22:00		
112807	RPA	000000	T:22247	SPOKE TO ROBERT. ADVISED THAT WE NEEDED BOTH SIDES OF CHECKS PER RESEARCH TEAM.		
112807	DM	000000	T:22247	Requested attorney fees/cost GT 1/23/2008 \$2,083.82		
112807	DM	000000	T:22247	19:34:00		
112807	DM	000000	T:22247	REPAY PLAN SET UP		
112807	DM	000000	T:22247	19:51:00		
112807	DM	000000	T:22247	ACTION/RESULT CD CHANGED FROM LMDC TO LMDC 19:51:00		
112807	NT	000000	T:22247	LEFT MESSAGE AT ROBERTS OFFICE.		
				submitted repay for approval		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 7  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
112907	DM	000000	T:22247	18:24:00		
				ACTION/RESULT CD CHANGED FROM LMDC TO NOTE		
112907	DM	000000	T:22247	18:24:00		
				RECEIVED FAX FROM ROBERT. HE PROVIDED ITEMS THAT		
				WHERE SENT TO RESEARCH ON FUND NOT APPLIED TO HIS		
120307	NT	000000	T:03679	approved 12-month balloon repayment plan - file to		
				AM for processing		
120307	NT	000000	T:22247	Agreement and deposit due by 12/20/07. Send CIT		
				task number 840 to contact teller 1534.		
120307	CIT	000000	T:22247	004 NEW CIT 841: New repay, deposit due 12/20/07		
120407	CIT	000000	T:14430	005 Open CIT#644 Received item for Research		
120407	CIT	000000	T:01260	004 DONE 12/04/07 BY TLR 01260		
				TSK TYP 841-MONITOR REPAY N		
120407	DM	000000	T:00000	50:00:00		
				EARLY IND: SCORE 201 MODEL EIFRC		
121407	CIT	000000	T:14430	005 recvd docs from cust; sending incomplete ltr as		
				need to have a clear front & back copy of		
				cashed item, if ck was posted electronically		
121407	CIT	000000	T:14430	plz send tracer#, if funds was posted online,		
				provide confirmation#(loan was processed on		
				12/09/07, reviewed docs and send incomplete		
				ltr)		
121407	CIT	000000	T:14430	005 DONE 12/14/07 BY TLR 14430		
				TSK TYP 644-CHECK COPY-CUST		
121707	NT	000000	T:29811	recieved signed agreement, sent to imaging.		
122007	DM	000000	T:00000	50:00:00		
				PROMISE BROKEN 12/20/07 PROMISE DT 12/20/07		
122607	NT	000000	T:01711	calling on delq repay payment		
122807	NT	000000	T:05298	rcvd tax cert frm shelton w/ permis to set up esc		
				and pay crnt/dlq taxes due. vrfd w/ county wbst		
				tht 2006 taxes are dlq b=1322.02, tot pd w/ pens		
				=1598.20. also pd the 12/10 inst b=1363.95, tot pd		
				w/ pens =1500.34. pd frm esc as it ws h/os resp to		
				pay taxes and thy didnt pay.		
123107	NT	000000	T:29811	recieved signed agreement, sent to imaging.		
123107	NT	000000	T:22781	DEP PSTD, RCVD SIGNED AGRMT, PLCD FCL ON HOLD IN		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 8  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
123107	NT	000000	T:22781	NEWTRAK		
010208	DM	000000	T:00000	50:00:00		
				EARLY IND: SCORE 201 MODEL EIFRC		
010908	DM	000000	T:28725	14:07:00		
				REPAY PLAN CANCELED MANUALLY		
010908	NT	000000	T:28725	CHECK NUMBER 1011	CHECK DATED 12/20/07 FOR	
				3646.18	RETURNED-NSF	
011108	CIT	000000	T:01657	006 new cit 840 REPAY BROKE 1/9, rcvd in cash ck		
				420129596 3700.00 post or return?		
011108	CIT	000000	T:01657	tlr 1657		
011108	CIT	000000	T:22781	006 RETARGETING CIT 840 TO 1657 - PLEASE RETURN		
				FUNDS TO BORROWER. THANKS.		
011408	DMD	000000	T:22222	50:00:00		
				01/14/08 20:28:12 MSG ANS MACH		
011408	DMD	000000	T:22222	50:00:00		
				00/00/00 00:00:00		
011408	DMD	000000	T:22222	50:00:00		
				00/00/00 00:00:00		
011508	NT	000000	T:08829	rcvd fax, sent to dallas3p		
011508	CIT	000000	T:01657	006 DONE 01/15/08 BY TLR 01657		
				TSK TYP 840-FUNDS RECEIVED		
011708	NT	000000	T:01657	WARNING CODE 5; Returning cashier check 420129596		
				in the amount of \$3,700.00; not enough to		
012808	CIT	000000	T:01655	007 new cit 827. rcvd pck #1014 for \$7,197.00 from		
				the cust--ok to return?		
				retarget to teller 1655		
013008	DM	000000	T:12894	18:57:00		
				ACTION/RESULT CD CHANGED FROM NOTE TO BRIN		
013008	DM	000000	T:12894	18:57:00		
				HUNG UP		
013008	DMD	000000	T:22222	50:00:00		
				01/30/08 17:58:04 INCOMPLETE		
013008	DMD	000000	T:22222	50:00:00		
				00/00/00 00:00:00		
013008	DMD	000000	T:22222	50:00:00		
				00/00/00 00:00:00		
020108	CIT	000000	T:19954	007 Retargeting cit 827: Please return funds in		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 9  
DATE 04/14/08

----- MAIL ----- PROPERTY -----  
ROBERT SWEETING  
16077 CRETE LANE  
HUNTINGTON BEACH CA 92649  
16077 CRETE LANE  
HUNTINGTON BEACH CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
020108	CIT	000000	T:19954	the amnt of \$7197 as it is not enough to reinstate acct.		
020108	CIT	000000	T:01655	007 DONE 02/01/08 BY TLR 01655 TSK TYP 827-LOSS MIT INSTRU		
020108	NT	000000	T:01655	WARNING CODE 5; Returning personal check 1014 in the amount of \$7,197.00; not enough to reinstate		
020408	NT	000000	T:23001	frm exception reprt.snt wrk-out pckage overnite trk# 7988 6663 9684.....evelyn		
020408	DM	000000	T:23001	17:03:00 ACTION/RESULT CD CHANGED FROM BRIN TO BRIM		
020408	DM	000000	T:23001	17:03:00 5623948218- LMOM		
020408	DMD	000000	T:22222	50:00:00 02/04/08 19:15:46 MSG ANS MACH		
020408	DMD	000000	T:22222	50:00:00 00/00/00 00:00:00		
020408	DMD	000000	T:22222	50:00:00 00/00/00 00:00:00		
020408	DM	000000	T:00000	50:00:00 EARLY IND: SCORE 193 MODEL EIFRC		
020708	DM	000000	T:29969	16:03:00 ACTION/RESULT CD CHANGED FROM BRIM TO LMDC		
020708	DM	000000	T:29969	16:03:00 BR CALLED CLAIMS HE IS NOT DELINQ. GAVE HIM MY FAX# AND REQUESTED HE FAX PROOF OF ALL MORTGAGE		
021208	DM	000000	T:22561	17:38:00 ACTION/RESULT CD CHANGED FROM LMDC TO BRUN		
021208	DM	000000	T:22561	17:38:00 TT B1, VAI, TRFD TO LOSS MIT.		
021208	DM	000000	T:22561	17:38:00 DFLT REASON 2 CHANGED TO: OTHER		
021208	DM	000000	T:23107	18:04:00 ACTION/RESULT CD CHANGED FROM BRUN TO LMDC		
021208	DM	000000	T:23107	18:04:00 RFD: WAS EMPLOYEE EMBEZZLEMENT SCAM AND LOST 15MIL PUTTING HIS FICO IN TROUBLE. THEN THE ORIGINATOR WHO ORIGINATED HIS LOAN COULD NOT ACCOUNT FOR \$50,000 THAT HE WAS SUPPOST TO GET IN CASH		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 10

DATE 04/14/08

MAIL

PROPERTY

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
021208	DM	000000	T:23107	18:04:00		
				PROCEEDS PUTTING HIM BEHIND ALL YEAR.		
021208	DM	000000	T:23107	18:20:00		
				ACTION/RESULT CD CHANGED FROM LMDC TO LMDC		
021208	DM	000000	T:23107	18:20:00		
				TT B1 AND SAID 5000.00 BY 22ND AND WILL SET PMNTS OF 7121.00 FOR A 3 MNTH TRIAL.		
021208	CIT	000000	T:23107	008 NEW CIT 110: please send payment history from 02/12/08 - 08/03/07. ROBERT SWEETING		
021208	CIT	000000	T:23107	16077 CRETE LANE HUNTINGTON BEACH CA 92649		
021308	NT	000000	T:23107	Order is successfully uploaded. Your Order ID is 9820 and Batch ID is 11026		
021308	DMD	000000	T:22222	50:00:00		
				02/13/08 17:49:20 NO AGENT AVAIL		
021308	DMD	000000	T:22222	50:00:00		
				02/13/08 17:51:40 MSG ANS MACH		
021308	DMD	000000	T:22222	50:00:00		
				00/00/00 00:00:00		
021408	NT	000000	T:23107	f/c good through 3/13/2008 for \$520.00		
021408	RPA	000000	T:23107	08:38:00		
				REPAY PLAN SET UP		
021408	NT	000000	T:23107	submitted to management for approval		
021408	NT	000000	T:23107	LMT21 Trial approved, signed		
				Agreement and deposit due by 02/22/08		
021408	NT	000000	T:23107	Borrower's monthly household income averages \$9782.18 and total monthly expenses average \$9167.35. Borrower's monthly surplus before the modification is \$614.83. RECOMMENDED ACTION		
021408	NT	000000	T:23107	cont. Loan is delinquent for \$78,759.28 and is an escrowed account with a UPB of \$770,448.63. The loan is not in foreclosure and has an LTV of 88%. The Borrower's hardship began in February 2007 when some of Mr. Sweeting employees embezzled up to \$15 million dollars out of his company. In addition Mr. Sweeting lost \$75,000 in cash proceeds that he was going to receive when he		

MES FCL 1884



HISTORY FOR ACCOUNT 833009962

PAGE 11  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
021408	NT	000000	T:23107	refinanced his house. Instead he only received \$25,000 and the originator was unable to account for the other \$50,000. The incident put Mr. Sweeting behind all year and is now trying to catc		
021408	NT	000000	T:23107	Asset consists of a Note and Mortgage dated 02/01/07, in the original principal amount of \$773,500 and a value on the property \$967,000 as of 06/01/07. Loan is delinquent for \$78,759.28 and is an escrowed account with a UPB of \$770,448.63. The loan is not in foreclosure and has an LTV of 88%.		
021408	NT	000000	T:23107	ENHANCED HISTORY LETTER PRINTED		
021408	CIT	000000	T:01291	008 closing cit 110 mailed hsty george c 4139		
021408	CIT	000000	T:01291	008 DONE 02/14/08 BY TLR 01291 TSK TYP 110-HISTORY REQUEST		
021408	NT	000000	T:23001	frm request list sent foreclsure agreemnt overnite trk # 7904 4774 3237 evelyn		
021808	NT	000000	T:21396	BPO VALUE RECEIVED FROM CLEAR CAPITAL		
021908	NT	000000	T:01952	Loan on repay report - attempted to XL any open inspection on loan.		
022108	NT	000000	T:01086	Loan on repay - attempted to cancel all open inspection orders on Mtgs.		
022108	NT	000000	T:25101	Loan on repay report. Attempted to cancel any open inspections on loans that are on report 02 20 08.		
022208	DM	000000	T:00000	50:00:00 PROMISE BROKEN 02/22/08 PROMISE DT 02/22/08		
022508	NT	000000	T:30193	Received signed agrmt sent to Imaging.		
022708	CIT	000000	T:23107	009 NEW CIT 847		
022708	CIT	000000	T:23107	009 NEW CIT 847		
022708	CIT	000000	T:23107	009 DONE 02/27/08 BY TLR 23107 TSK TYP 847-LOAN MOD REFERR		
022708	NT	000000	T:23107	File to management for approval.		
022708	NT	000000	T:23107	Trial Mod Approved 3 month Trial period		
022708	NT	000000	T:23107	LMT2-1 for all loans: Trial approved, \$5000.00 due back by 02/22/08 Indicate in notes to		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 12  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
022708	NT	000000	T:23107	apply funds to the first Repay installment and send CIT 840 to contact teller #29900 closer) when deposit received, forward signed docs to Waterloo Loss Mit.		
022708	NT	000000	T:01711	called customer as repay late		
022708	CIT	000000	T:01659	010 Cit #827 Personal Check #1033 & cashiers ck #420130688 \$1000.00 and \$4000.00 2/27/2008		
022708	CIT	000000	T:01659	Deposit Not all certified funds Retarget to T1659		
022808	CIT	000000	T:14797	010 Retarget Cit #827 to teller 23107 Personal Check #1033 & cashiers ck #420130688 \$1000.00 and \$4000.00 2/27/2008 Deposit Not all certified funds		
022808	CIT	000000	T:14797	Retarget to T1659		
022908	DM	000000	T:19396	18:15:00 ACTION/RESULT CD CHANGED FROM LMDC TO BRTR		
022908	DM	000000	T:19396	18:15:00 B1 CI ADV OF ACCT IN F/C AND V/I		
022908	DM	000000	T:30160	18:34:00 ACTION/RESULT CD CHANGED FROM BRTR TO BRTR		
022908	DM	000000	T:30160	18:34:00 B1 CI V/I XFRD TO LM		
022908	DM	000000	T:21629	18:48:00 ACTION/RESULT CD CHANGED FROM BRTR TO LMDC		
022908	DM	000000	T:21629	18:48:00 HTO REGARDING PLAN TOLD HIM PMT WAS RECIEVED BUT NEEDS TO TLK TO REP ALL THE FUNDS HE SENT WERE NOT ALL CERTIFIED		
030108	NT	000000	T:23107	left mess.		
030308	DM	000000	T:23107	29:25:00 REPAY PLAN CANCELED AUTOMATIC		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 13  
DATE 04/14/08

----- MAIL ----- PROPERTY -----

ROBERT SWEETING

16077 CRETE LANE

16077 CRETE LANE

HUNTINGTON BEACH

CA 92649

HUNTINGTON BEACH

CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
030408	DM	000000	T:00000	50:00:00		
				EARLY IND: SCORE 118 MODEL EIFRC		
030508	NT	000000	T:05724	not completing the repay break process and not monitoring this acct at this time. the a/m is responsible for completing the entire repay break process if a new workout is not approved.		
030508	CIT	000000	T:01659	010 DONE 03/05/08 BY TLR 01659		
				TSK TYP 827-LOSS MIT INSTRU		
030508	NT	000000	T:01659	csh-retiring cashiers ck #420130688 \$4000.00 &		
030508	NT	000000	T:01659	prsnl ck #1033 \$1000.00 to the cstmr as loan is restricted to certified funds.		
030508	DM	000000	T:23182	21:48:00		
				ACTION/RESULT CD CHANGED FROM LMDC TO BRUN		
030508	DM	000000	T:23182	21:48:00		
				TT B1 CALLED IN ABOUT REPAY PLAN, INFORM B1 HE WILL HAVE DISCUSS THAT WITH LOSS MIT, ACCOUNT IS IN FORE. STATUS, COULD NOT ASSIT HIM ON THIS ACCOUNT		
030608	DM	000000	T:23107	10:43:00		
				ACTION/RESULT CD CHANGED FROM BRUN TO LMDC		
030608	DM	000000	T:23107	10:43:00		
				TT B1 TOLD HIM THAT HIS FUNDS ARE BEING RETURNED AND THAT ONCE HE RECIEVES THE FUNDS HE NEEDS TO SEND THEM BACK CERTIFIED AND WE WILL SET UP THE PLAN AGAIN.		
030708	NT	000000	T:26153	rcvd signed agreement		
031408	CIT	000000	T:01845	011 MANUAL UPDATE		
031408	CIT	000000	T:01845	Loan Number = 0833009962 PIR = 22.50		
				Private Label = 110.00		
				Taxes = 1363.95 PMI = 0.00		
				TRUMAN CAPITAL = 110.00		
				P&I = 0.00		
				Silent 2nd = 0.00		
031708	CIT	000000	T:19338	011 DONE 03/17/08 BY TLR 19338		
				TSK TYP 724-POP USE-TOT DUE		
033108	NT	000000	T:29966	lm module > 30 days sent email to G Bird to		

MES FCL 1884

HISTORY FOR ACCOUNT 833009962

PAGE 14  
DATE 04/14/08

----- MAIL ----- PROPERTY -----  
ROBERT SWEETING  
16077 CRETE LANE 16077 CRETE LANE  
HUNTINGTON BEACH CA 92649 HUNTINGTON BEACH CA 92649-0000

POST DATE	TRN CDE	DUE DATE	TRANSACTION AMOUNT	PRINCIPAL PAID	INTEREST PAID	ESCROW PAID
033108	NT	000000	T:29966	confirm status of lm, recent notes in past 30 days in re to pending plan		
040108	DM	000000	T:22312	18:54:00 ACTION/RESULT CD CHANGED FROM LMDC TO BRLM		
040108	DM	000000	T:22312	18:54:00 CALLED TO DISCUSS POSSIBLE LMT OPTS- LMTC WITH 3P MALE.		
040108	DM	000000	T:29969	19:01:00 ACTION/RESULT CD CHANGED FROM BRLM TO LMDC		
040108	DM	000000	T:29969	19:01:00 BR CALLED REQUESTING ADDRESS OF TRUMAN CAPITAL REFUSED TO SAY WHY. ADVSD UNABLE TO ASSIST HIM WITH THAT QUESTION. BR SD OK H/U. LS EXT 8746337		
040108	DMD	000000	T:22222	50:00:00 04/01/08 17:54:21 LEFT MSG		
040108	DMD	000000	T:22222	50:00:00 00/00/00 00:00:00		
040108	DMD	000000	T:22222	50:00:00 00/00/00 00:00:00		
040208	DM	000000	T:00000	50:00:00 EARLY IND: SCORE 114 MODEL EIFRC		
040708	NT	000000	T:18940	FEDEX'D STANDARD 3 MONTH TRIAL		
040908	NT	000000	T:23107	took foreclosure off hold. gbird		

END OF HISTORY

MES FCL 1884

Exhibit "6"

11/30/2006 13:54 FAX 818 956 3183

INC

001



626 605342

INTERNATIONAL MORTGAGE COMPANY INC.

**ESCROW DIVISION**

450 North Brand Blvd., Suite 130 • Glendale, CA 91203  
Tel: (818) 956-4800 • Facsimile: (818) 956-4631  
California Department of Real Estate - Real Estate Broker  
DRE# 01388648

**BORROWER'S ESTIMATED CLOSING COSTS**

**PROPERTY:** 16077 Crete Lane  
Huntington Beach, CA 92649  
**DATE:** November 30, 2006  
**BORROWER:** Robert Sweeting  
**CLOSING DATE:** December 22, 2006  
**ESCROW NO.:** 004679

**FINANCIAL CONSIDERATION**  
New 1st Trust Deed

**DEBITS**  
**CREDITS**  
773,500.00

**PAYOFF CHARGES - HomeEq Servicing**

[Total Payoff \$681,318.48]

Principal Balance

640,164.58

Interest on Principal Balance at 8.2000% from 09/01/2006 to 12/01/2006

17,575.52

Escrow Overdraft

519.25

Recording Fee

24.00

NSF

87.48

Other Fee

12.52

Late Charges

2,003.78

Suspense Balance

12.52

Unpaid Other Fee

495.00

Advances

423.72

**LOAN INFORMATION - Freemont Investments and loans**

[Charges \$28,429.21]

Loan Origination Fee to International Mortgage Company, Inc.

24,155.00

Appraisal Fee to International Mortgage Company, Inc.

475.00

Processing Fee to International Mortgage Company, Inc.

925.00

Tax Service Fee to Landamerica

48.00

Flood Cert Fee to Landamerica

7.50

Interest at \$224.6300/day from 12/15/2006 to 01/01/2007 to

3,818.71

Freemont Investments and loans

**OTHER DEBITS/CREDITS**

International Mortgage Company Escrow Division for: Notary Fee

350.00

International Mortgage Company for: Messenger Fee

25.00

Funds for Estimation (refundable)

500.00

Verizon California #160

573.00

Amer #1258272990

2,328.00

Ledco Leasing #2418671

945.00

HSBC INV #54895551

905.00

Judgement #8 for

1,180.00

HSBC #54889750

1,246.00

**TITLE/TAXES/RECORDING CHARGES**

ALTA Loan Policy Fee to Chicago Title Company

1,850.00

Messenger Fee to Chicago Title Company

30.00

Recording Trust Deed

100.00

Recording Reconveyance

50.00

1 1/2 H&J Taxes 2006-2007

1,322.02

**ESCROW CHARGES**

Escrow Fee

1,895.00

Processing Demands

210.00

Wire Fee

30.00

Audit Review

25.00

Sub Escrow Fee

185.00

Refund

69,192.29

**TOTAL**

\$ 773,500.00 \$ 773,500.00

002832

PL0209

**EXHIBIT B**

Exhibit "7"

**BANK OF THE WEST®**

**FUNDS TRANSFER ACTIVITY ADVICE**

POWER BRAKE SERVICE CO  
1701 FASHION AVE  
LONG BEACH CA 908131317

ACCOUNT NO. 692001803  
DATE December 21, 2006  
PAGE 1

Direct any inquiries to your account officer or branch of account.

**TRANSACTION DESCRIPTION**

DEBIT

CREDIT

~~FWI TRN-061221-003869~~ ~~1221L1LFB49C00011312211330FT01~~  
ORG: INTERNATIONAL MORTGAGE CO INC GLENDALE OFFICE  
450 N BRAND BLVD #150 GLENDALE CA 91203  
FROM: PACIFIC WESTERN BANK ABA/122238200  
BNFACCT: 692001803  
BNF: ROBERT SWEETING  
OBI: ESCROW # 004679

~~\$25,128.44~~

**SUMMARY**

	NUMBER	AMOUNT
DEBITS	0	
CREDITS	1	\$ .00
TOTAL	1	\$25,128.44

**SWEETING1255**



ABBREVIATION  
CODES:

FWO -FED WIRE OUT  
FWI -FED WIRE IN  
SWO -SWIFT WIRE OUT  
SWI -SWIFT WIRE IN

TXO -TELEX WIRE OUT  
TXI -TELEX WIRE IN  
IBT -INTERNAL TRANSFER

MEMBER FDIC



**Exhibit “8”**



INTERNATIONAL MORTGAGE COMPANY INC.

**ESCROW DIVISION**

450 North Brand Blvd., Suite 130 • Glendale, CA 91203  
Tel: (818) 956-4600 • Facsimile: (818) 956-4631  
California Department of Real Estate - Real Estate Broker  
DRE# 01388848

Sandra Jaquez  
Escrow Manager

Date: December 20, 2006  
Escrow No.: 004679

**AMENDED ESCROW INSTRUCTIONS**

Property Address: 16077 Crete Lane Huntington Beach, CA 92649

THE ABOVE NUMBERED ESCROW IS HEREBY AMENDED AND/OR SUPPLEMENTED AS FOLLOWS:

1. I Robert Sweeting authorize International Mortgage Company Escrow Division Inc. to hold proceeds in the amount of \$6,934.37 for the First Payment of my Mortgage this payment will be due on 02/01/07 and it need to be mailed to Fremont Investment & Loan, P.O. Box 19030, San Bernardino, CA. 92423-9030 with Loan NO: 30000000857459.

ALL OTHER TERMS AND CONDITIONS TO REMAIN THE SAME.

\_\_\_\_\_  
Robert Sweeting

850 4620

2-11-07 10:12:13 004679-8212

**EXHIBIT E**

Exhibit "9"

1 Stuart B. Wolfe, Esq. (SBN 156471)  
2 Kelly Andrew Beall, Esq. (SBN 162456)  
3 Samantha N. Lamm, Esq. (SBN 203094)  
4 WOLFE & WYMAN LLP  
5 5 Park Plaza, Suite 1100  
6 Irvine, California 92614-5979  
7 Telephone: (949) 475-9200  
8 Facsimile: (949) 475-9203

9 Attorneys for Defendant  
10 GMAC MORTGAGE, LLC

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CENTRAL JUSTICE CENTER

JUL 17 2009

ALAN CARLSON, Clerk of the Court

*R. Lucey*  
BY R. LUCEY

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **COUNTY OF ORANGE, CENTRAL JUSTICE CENTER - UNLIMITED**

13 ROBERT SWEETING,  
14 Plaintiff,

15 v.

16 JASON KISHABA, an individual; SANDRA  
17 JAQUEZ, and individual; PETER SAUERACKER,  
18 an individual, INTERNATIONAL MORTGAGE,  
19 INC.; CAITLIN CHEN, an individual; FREMONT  
20 INVESTMENT AND LOAN, INC.; GMAC  
21 MORTGAGE LLC.; all persons unknown, claiming  
22 any legal or equitable right, title, estate, lien or  
23 interested in the property described in the complaint  
24 adverse to plaintiff's title, or any cloud on  
25 plaintiff's title thereto and DOES 1 through 25,  
26 inclusive,

27 Defendants.

Case No.: 30-2008-104237

Assigned for all purposes to:  
Judge: Hon. Randell L. Wilkinson  
Dept. C-25

**DECLARATION OF SCOTT ZEITZ IN  
SUPPORT OF DEFENDANT GMAC  
MORTGAGE, LLC'S MOTION FOR  
SUMMARY JUDGMENT, OR  
ALTERNATIVELY SUMMARY  
ADJUDICATION**

Date: September 30, 2008  
Time: 1:30 p.m.  
Dept.: C-25

Trial Date: N/A  
Discovery Cut-off: N/A  
Motion Cut-off: N/A

Action Filed: March 20, 2008

28 I, SCOTT ZEITZ, declare as follows:

1. I am currently employed with GMAC Mortgage, LLC ("GMACM"). This  
declaration is submitted in support of GMACM's Motion for Summary Judgment, or alternatively,  
Summary Adjudication.

2. I am one of the custodians of records for GMACM, including those records relating  
to the Robert Sweeting loan (Account No. 0833009962), which is the subject of the above-entitled

1 action. These records are made and kept within the ordinary course of business and are made at or  
2 near the time of the act, condition or event of record by a means which insures their reliability and  
3 made by persons whose responsibility it is to record such acts, conditions or events. I have  
4 personally reviewed the records and have personal knowledge of the facts set forth in this  
5 declaration. If called upon to testify thereto, I could and would do so competently and truthfully  
6 under oath. GMACM's books and records reflect the following:

7 3. On December 8, 2006, Mr. Sweeting entered into a loan transaction wherein he made,  
8 executed and delivered to Fremont Investment & Loan ("Fremont") a Promissory Note in the  
9 principal amount of \$773,500.00. A true and correct copy of the Adjustable Rate Note is attached  
10 hereto and incorporated by reference herein as **Exhibit 1**.

11 4. As security for the Promissory Note, Mr. Sweeting executed and delivered to Fremont  
12 a Deed of Trust, dated December 8, 2006. The Deed of Trust was recorded against the Subject  
13 Property on December 20, 2006 in the Orange County Recorder's office as Instrument No.  
14 2006000850787. A true and correct copy of the Deed of Trust is attached hereto and incorporated  
15 by reference herein as **Exhibit 2**.

16 5. From August 2, 2007 to September 22, 2008, GMACM was the servicer of the  
17 Subject Loan. GMACM serviced the loan on behalf of the beneficiary, Truman Capital. As the  
18 servicer of the Subject Loan, it is GMACM's duty to collect, monitor and report on loan payments;  
19 handle property taxes and insurance escrows; and oversee the foreclosure of loans in default.

20 6. GMACM's records contain copies of the loan origination file, which shows that Mr.  
21 Sweeting received the disclosures under the Truth-In-Lending Act ("TILA"), including the Notice of  
22 Right to Cancel, which he acknowledged receipt thereof on December 8, 2006. Mr. Sweeting also  
23 received a copy of the TILA Disclosure Statement, which he acknowledged receipt thereof on  
24 December 8, 2006. Additionally, the loan file contains a copy of the HUD-1 Settlement Statement,  
25 explaining how the loan proceeds would be disbursed. A true and correct copy of the Notice of  
26 Right to Cancel, dated December 8, 2006, the Truth-In-Lending Disclosure Statement, dated  
27 December 8, 2006 and the HUD-1 Settlement Statement are attached hereto and incorporated by  
28 reference herein as **Exhibits 3, 4, and 5** respectively.

1           7. When GMACM began servicing the Subject Loan on August 2, 2007, GMACM also  
2 received a copy of Fremont's history of account. A true and correct copy of Fremont's Detail  
3 Transaction History is attached hereto and incorporated by reference herein as Exhibit 6.

4           8. Fremont's records show that from December 19, 2006 to July 31, 2007, Mr. Sweeting  
5 made only one mortgage payment of \$6,934.37, which was applied to the February 1, 2007  
6 mortgage payment. The remaining payments during this time were either reversed because of  
7 insufficient funds or were placed in a suspense account because the payments were not sufficient to  
8 constitute a full mortgage payment.

9           9. Notably, Fremont's records show the following payments were reversed for  
10 insufficient funds: Mr. Sweeting's second payment of \$6,781.35 was applied towards the March 1,  
11 2007 mortgage payment. However, the payment was reversed on February 28, 2007 because of  
12 insufficient funds. On March 31, 2007, Mr. Sweeting made a payment of \$6,781.35, which was  
13 applied towards the March 1, 2007 mortgage payment. However, the payment was reversed on  
14 April 10, 2007 because of insufficient funds. On April 24, 2007, Mr. Sweeting made a payment of  
15 \$6,800.00, which was applied towards the March 1, 2007 mortgage payment. Mr. Sweeting made  
16 the payment of \$6,800.00 with two checks in the amount of \$4,300.00 and \$2,500.00. The check in  
17 the amount of \$4,300.00 was not applied and reversed because of insufficient funds. The remaining  
18 check for \$2,500.00 was placed in the suspense account.

19           10. It is standard practice in the mortgage banking industry to apply payments that are not  
20 sufficient to constitute a full monthly mortgage payment to a "suspense" account. Fremont records  
21 show that Mr. Sweeting made the following partial payments, which were placed in the suspense  
22 account because they did not constitute a full mortgage payment: On June 11, 2007, Mr. Sweeting  
23 made a partial payment of \$2,000.00. On June 20, 2007, Mr. Sweeting made a partial payment of  
24 \$2,000.00. On June 30, 2007, Mr. Sweeting made a partial payment of \$2,000.00. On July 12,  
25 2007, he made a partial payment of \$2,000.00 with two checks in the amount of \$1,200.00 and  
26 \$800.00.

27           11. On August 2, 2007, GMACM began servicing the subject loan. At the time that  
28 GMACM began servicing the Subject Loan, Mr. Sweeting had a total of \$10,500.00 in unapplied

1 funds. GMACM applied the unapplied funds as follows: On August 8, 2007, GMACM reimbursed  
2 Fremont in the amount of \$800.00 because the check that Mr. Sweeting issued on July 12, 2007 was  
3 returned for insufficient funds. On August 16, 2007, GMACM applied \$6,781.35 towards the March  
4 1, 2007 mortgage payment and the remaining \$2,790.60 was applied towards principal and \$128.05  
5 was applied towards fees.

6 12. Mr. Sweeting has been in default as of April 1, 2007 and has not made sufficient  
7 payments to reinstate his loan. A true and correct copy of GMACM's History for Account is  
8 attached hereto and incorporated by reference herein as **Exhibit 7**.

9 13. On December 3, 2007, GMACM and Mr. Sweeting entered into a Foreclosure  
10 Repayment Agreement, which sets forth a twelve-month repayment plan. A true and correct copy of  
11 the December 3, 2007 Foreclosure Repayment Agreement is attached hereto and incorporated by  
12 reference herein as **Exhibit 8**. Under the agreement, Mr. Sweeting was required to make eleven  
13 payments of \$7,196.18 starting on December 20, 2007 and one balloon payment of \$59,645.02 on  
14 November 20, 2008. On December 28, 2007, Mr. Sweeting sent GMACM two checks. One of the  
15 checks was in the amount of \$3,646.18 and the second check was in the amount of \$3,550.00, which  
16 totaled \$7,196.18. However, the check in the amount of \$3,646.18 was returned on January 9, 2008  
17 because of insufficient funds. The check in the amount of \$3,550.00 cleared and was placed in the  
18 suspense account as it was not sufficient to constitute a full payment. A true and correct copy of the  
19 letter from GMACM's Customer Care Loan Servicing to Mr. Sweeting, dated January 9, 2008 is  
20 attached hereto and incorporated by reference herein as **Exhibit 9**.

21 14. Mr. Sweeting continually failed to make the appropriate payments. On January 11,  
22 2008, GMACM received a check from Mr. Sweeting in the amount of \$3,700.00. However,  
23 GMACM returned the cashier's check because it did not represent the full amount due to reinstate  
24 the account. A true and copy of the letter from GMACM's Foreclosure Department Loan Servicing  
25 to Mr. Sweeting, dated January 17, 2008 is attached hereto and incorporated by reference herein as  
26 **Exhibit 10**.

27 15. Because Mr. Sweeting failed to make the first payment under the Foreclosure  
28 Repayment Agreement in the sum of \$7,196.18 by the due date of December 20, 2007, GMACM

1 sent Mr. Sweeting a letter on January 11, 2008 advising him that GMACM cancelled the Foreclosure  
2 Repayment Agreement because payment was not received by the payment due date. A true and  
3 correct copy of the letter from GMACM's Loss Mitigation Department to Mr. Sweeting, dated  
4 January 11, 2008 is attached hereto and incorporated by reference herein as **Exhibit 11**.

5 16. On January 28, 2008, GMACM received a personal check from Mr. Sweeting in the  
6 amount of \$7,197.00. However, the check was returned because it was not sufficient to reinstate the  
7 loan. A true and correct copy of the letter from GMACM's Foreclosure Department Loan Servicing  
8 to Mr. Sweeting, dated February 1, 2008 is attached hereto and incorporated by reference herein as  
9 **Exhibit 12**.

10 17. On February 14, 2008, GMACM and Mr. Sweeting entered into a second Foreclosure  
11 Repayment Agreement wherein Mr. Sweeting agreed to make a payment of \$5,000.00 by February  
12 22, 2008 and to make payments for a three-month trial period to cure the default. A true and correct  
13 copy of the February 14, 2008 Foreclosure Repayment Agreement is attached hereto and  
14 incorporated by referenced herein as **Exhibit 13**.

15 18. On February 27, 2008, GMACM received a personal check from Mr. Sweeting in the  
16 amount of \$1,000.00 and a cashier's check in the amount of \$4,000.00, totaling \$5,000.00.  
17 However, both checks were returned to Mr. Sweeting on March 5, 2008 because the Foreclosure  
18 Repayment Agreement required that payments be made by certified funds. A true and correct copy  
19 of the March 5, 2008 letter from GMACM's Collection Department Loan Servicing is attached  
20 hereto and incorporated by referenced herein as **Exhibit 14**.

21 19. On March 5, 2008, GMACM cancelled the repayment plan because Mr. Sweeting  
22 failed to send the payment in certified funds.

23 20. As Mr. Sweeting has been delinquent on his monthly mortgage payment since April  
24 1, 2007 and has not tendered the full amount owing to reinstate the loan, the foreclosure trustee,  
25 Executive Trustee Services, LLC, initiated foreclosure proceedings.

26 21. On October 27, 2007, the trustee recorded a Notice of Default and Election to Sell  
27 under Deed of Trust, noting the amount of default as of October 23, 2007 was \$50,235.26. A true  
28 and correct copy of the Notice of Default, recorded on October 27, 2007 in the Orange County



1 Recorder's office as Instrument No. 2007000649593, is attached hereto and incorporated by  
2 reference herein as Exhibit 15.

3 22. On February 29, 2008, the trustee recorded a Notice of Trustee's Sale. A true and  
4 correct copy of the Notice of Trustee's Sale, recorded on February 29, 2008 in the Orange County  
5 Recorder's office as Instrument No. 2008000094477, is attached hereto and incorporated by  
6 reference herein as Exhibit 16.

7 23. Mr. Sweeting failed to cure the default prior to the sale. As such, on September 22,  
8 2008, the trustee sold the Subject Property in a non-judicial foreclosure sale. A true and correct  
9 copy of the Trustee's Deed upon Sale, recorded on October 28, 2008 in the Orange County  
10 Recorder's office as Instrument No. 2008000495073, is attached hereto and incorporated by  
11 reference herein as Exhibit 17.

12 24. Although the Trustee's Deed upon Sale states that GMACM was the foreclosing  
13 beneficiary, GMACM was not. The foreclosing beneficiary was Truman Capital. As a result of this  
14 mistake, a corrected Grant Deed was recorded on March 20, 2009, transferring title of the Subject  
15 Property back to Truman Capital, which held title to the property as "TCIF REO GCM  
16 CALIFORNIA, LLC." Notably, the Grant Deed specifically states, "NO CONSIDERATION  
17 CORRECTION OF REO ENTITY ONLY FROM FORECLOSURE DEED RECORDED 10/28/08  
18 INSTRUMENT #2008000495073." A true and correct copy of the Grant Deed, recorded on March  
19 20, 2009 in the Orange County Recorder's office as Instrument No. 2009000131674, is attached  
20 hereto and incorporated by reference herein as Exhibit 18.

21 I declare under penalty of perjury under the laws of the State of California that the foregoing  
22 is true and correct.

23 Executed this 17 day of July, 2009 at Fort Washington, Pennsylvania.

24  
25   
26 SCOTT ZEITZ

27 H:\Matters\GMAC Mortgage Corporation (1353)\089 (Sweeting)\Pleadings\GMACM declaration.doc  
28

1 System (“**MERS**”), which has an indemnification agreement with GMAC, and Chicago Title  
2 Insurance Company, which forwarded the funds to the unlicensed International Escrow.

3  
4 At Paragraph 6 of the Declaration in support of this Objection to Claims 1360 and 1361,  
5 the Declarant states,

6 “On or about September 22, 2008, as a result of Claimant’s continuing default  
7 under the Loan, GMAC Mortgage caused the Property to be sold at a trustee’s sale, at  
8 which GMAC Mortgage was the winning bidder. The Property was later sold by GMAC  
9 Mortgage to a third party purchaser.

10 **The True Facts:** This paragraph contains two facts, that the foreclosure was the result of  
11 Claimant’s “continuing default” under the Loan. Above, Claimant details the reasons he was not  
12 in default on the Loan.

13 The second claim is that “GMAC was the winning bidder.” GMAC committed FRAUD  
14 either in obtaining judgment in the underlying wrongful foreclosure action or in two unlawful  
15 detainer actions and in this bankruptcy court. Specifically, GMAC claims in the above paragraph  
16 and in the two unlawful detainer actions that it was the title holder and purchased the property at  
17 the Trustee’s Sale. This is different than the facts it claimed in its Summary Judgment Motion in  
18 the Wrongful Foreclosure action which is the one primarily related to Claim 1360. In the  
19 declaration of Scott Zeitz in support of GMAC’s Summary Judgment Motion, Mr. Zeitz, as  
20 custodian of record for GMAC, states that GMAC was only the loan servicer for Truman Capital  
21 Investment Fund and that the deed giving it title was erroneous. See Declaration of Scott Zeitz in  
22 Support of GMAC’s Summary Judgment Motion at ¶ 5 and ¶ 24. (Exhibit 9.) There, GMAC  
23 claimed it never had legal title, but only gained title by accident, and that Truman Capital was the  
24 true owner after the foreclosure sale. GMAC claimed it owed no duty to the borrower, your  
25 Claimant, but only to Truman Capital on whose behalf it was allegedly acting as the “loan  
26 processor.”

Exhibit “10”

**FIRST AMERICAN TITLE COMPANY**

RECORDING REQUESTED BY:  
Executive Trustee Services, LLC dba ETS Services, LLC

Recorded In Official Records, Orange County

Tom Daly, Clerk-Recorder

12.00

2008000495073 12:17pm 10/28/08

104 159 T09 3

0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00

AND WHEN RECORDED MAIL TO:  
GMAC MORTGAGE, LLC FKA  
GMAC MORTGAGE CORPORATION  
1100 VIRGINIA DRIVE  
FORT WASHINGTON, PA 19034

Forward Tax Statements to  
the address given above

TS # GM-120181-C

SPACE ABOVE LINE FOR RECORDER'S USE

LOAN # 0833009962

INVESTOR #: 0000000000000

TITLE ORDER # 3489537

**TRUSTEE'S DEED UPON SALE**

APN 178-741-30

TRANSFER TAX: \$00.00

"THIS TRANSACTION IS EXEMPT FROM THE REQUIREMENTS OF THE REVENUE AND TAXATION CODE, SECTION 480.3"

The Grantee Herein Was The Foreclosing Beneficiary.

The Amount Of The Unpaid Debt was \$910,184.62

The Amount Paid By The Grantee Was \$639,000.00

Said Property Is In The City Of HUNTINGTON BEACH, County of Orange

Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee, (whereas so designated in the Deed of Trust hereunder more particularly described or as duly appointed Trustee) does hereby GRANT and CONVEY to

**GMAC MORTGAGE, LLC FKA  
GMAC MORTGAGE CORPORATION**

(herein called Grantee) but without covenant or warranty, expressed or implied, all right title and interest conveyed to and now held by it as Trustee under the Deed of Trust in and to the property situated in the county of Orange, State of California, described as follows:

SEE EXHIBIT "A"

This conveyance is made in compliance with the terms and provisions of the Deed of Trust executed by **ROBERT SWEETING, AN UNMARRIED MAN** as Trustor, dated 12/8/2006 of the Official Records in the office of the Recorder of Orange, California under the authority and powers vested in the Trustee designated in the Deed of Trust or as the duly appointed Trustee, default having occurred under the Deed of Trust pursuant to the Notice of Default and Election to Sell under the Deed of Trust recorded on 12/20/2006, instrument number 2006000850787 (or Book, Page ) of Official records. Trustee having complied with all applicable statutory requirements of the State of California and performed all duties required by the Deed of Trust including sending a Notice of Default and Election to Sell within ten days after its recording and a Notice of Sale at least twenty days prior to the Sale Date by certified mail, postage pre-paid to each person entitled to notice in compliance with California Civil Code 2924b.

GM-120181-C

EXHIBIT "A"

THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE STATE OF CALIFORNIA, CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 30 OF TRACT NO. 9924, IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 431 PAGES 22 AND 23 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:

AN EASEMENT FOR USE AND ENJOYMENT OF THE COMMON AREA, BEING LOT 46 OF SAID TRACT NO. 9924, REFERRED TO IN PARCEL 1 ABOVE, AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN BOOK 12914 PAGE 929, ET SEQ., OF OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA.

## TRUSTEE'S DEED UPON SALE

Trustee's Deed  
T.S.# GM-120181-C  
Loan # 0833008962  
Title Order # 3489537

All requirements per California Statutes regarding the mailing, personal delivery and publication of copies of Notice of Default and Election to Sell under Deed of Trust and Notice of Trustee's Sale, and the posting of copies of Notice of Trustee's Sale have been complied with. Trustee, in compliance with said Notice of Trustee's sale and in exercise of its powers under said Deed of Trust sold said real property at public auction on 9/22/2008. Grantee, being the highest bidder at said sale became the purchaser of said property for the amount bid, being \$639,000.00, in lawful money of the United States, in pro per, receipt there of is hereby acknowledged in full/partial satisfaction of the debt secured by said Deed of Trust.

In witness thereof, **Executive Trustee Services, LLC dba ETS Services, LLC**, as Trustee, has this day, caused its name to be hereunto affixed by its officer thereunto duly authorized by its corporation by-laws

Date: 9/22/2008

LLC

**Executive Trustee Services, LLC dba ETS Services,**

By:   
Donna Fitton, Limited Signing Officer

State of California } S.S.  
County of Los Angeles }

On 10/20/2008 before me, **Gisela A. Clark** Notary Public, personally appeared **Donna Fitton** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

  
Gisela A. Clark

(Seal)

